

Vigilance against Biological Weapons and War Crimes, 2000-2010

Dhiah Ayu Duwi Wahyuni, Sutrimo Sumarlan, I Wayan Midhio

Program in Universal War Strategy, Faculty of Defense Strategy, Defense University

Abstract: The rapid development of technology has both positive and negative impacts in the field of defense. With the rapid development a country is required to update or *upgrade* its defense system in order to keep up with the development of the world. The study discusses how the state's vigilance efforts in the face of weapons and war crimes. In this study using qualitative descriptive methods. According to Sugiono descriptive method is research that describes a state or object that is studied as is according to the situation and conditions at the time of peelian. The research approach used to facilitate this research is a statutory approach commonly called the Statute Approach, as well as data collection by conducting library research and online search *through* sites relevant to the topic studied (*online search*). Biological weapons are one of the real threats that since World War I and until now there is no clarity. Setting sanctions for violating countries, the establishment of biological weapons control agencies is a necessity, considering that many countries have laboratories that are deliberately made for research. Arrangements or through agreements made to override the principle of state sovereignty for states indicated to intentionally use or even deploy such biological weapons.

Keywords: Vigilance, War Crimes, Biological Weapons.

I. INTRODUCTION

Vigilance is a quality of preparedness possessed by a country to detect, anticipate early and take preventive measures against various forms and properties of potential threats to the country. Vigilance can also be interpreted as an attitude in relation to nationalism built from the care and responsibility of a citizen to the survival of society, nation and state from a threat (Riyanto, 2017). One of the threats that need to be wary of the state is the presence of biological weapons and war crimes. Biological weapons are weapons that use toxins or pathogens in the form of bacteria, viruses, or other disease-producing organisms that are used as tools to kill, injure, or incapacitate enemies. This biological weapon attacks not only humans, but also animals and plants (The Hidden Weapon, Senjata Biologis Halaman All - Kompasiana, n.d.)

International law governs relations between international communities globally aimed at the realization of justice in international relations and creating good and orderly international relations. International law also regulates matters that are allowed and prohibited in war or commonly referred to as the law of war or humanitarian law (International Committee of the Red Cross, 1949). This is contained in the Geneva Conventions of 1925. Of course, the convention can

be a reference for every country in acting during war. The Convention prohibits the use of biological weapons in warfare, as it includes an extraordinary crime that causes mass death and includes human rights violations.

From the background above, it can be rumored that the problem is that how is the state's vigilance efforts in the face of biological weapons and war crimes?

II. RESEARCH METHODS

This research was conducted to find out how a country's attitudes and efforts in dealing with the threat of biological weapons and war crimes. This research uses this type of literature study research with a qualitative approach. Through literature studies explore and look for the basics of reference that are closely related to the research problem to be done. These basics are not limited to one source but can be searched from various sources which are then compiled in their own sections. Data sources are obtained by collecting data from readers, researching and recording and studying books and documents related to biological weapons and war crimes in a national vigilance review (Abdullah, 2015).

The research approach used to facilitate in conducting this research is a statutory approach commonly called the statute approach. Through the approach of legislation, an approach to legal products is carried out by reviewing all arrangements related to legal issues. For example, laws and regulations related to the type and weight of military criminal sanctions on each country (United Nations Publications, 2017).

In this study using data collection methods by conducting literature studies (library research) and online search through sites relevant to the topic studied (*online search*). Literature data obtained through library research sourced from laws and regulations, official books, publications, and research results related to national vigilance against biological weapons as war crimes. The sources of legal materials used in this research include the Geneva Conventions, CWC (Chemical Weapons Convention) legal books, scientific papers, scientific articles, and scientific journals related to biological warfare and international crimes (Abdullah, 2015).

Analysis of legal materials used is qualitative descriptive analysis. This method describes and interprets existing conditions or relationships about legal issues or problems. Then process the legal materials that have been collected as a support for solving the problem. Further discussion is carried

out to get conclusions and suggestions that want to be conveyed to the relevant parties.

III. RESULTS AND DISCUSSIONS

3.1 History of biological weapons regulation in the Law of War

Weapons of mass destruction have become an issue that has surfaced at NBC (Nuclear, Biological and chemical) or Nubika (nuclear, biological, and kima) has evolved into CBRNE (Chemical, Biological, Radiological, Nuclear and Explosive Defense). Nubika's threats can be widespread, as the United Nations issues a number of treaties, protocols and conventions to avoid misuse of such material (Imara et al., n.d.).

Biological weapons are weapons that use toxins or pathogens in the form of bacteria, viruses, or other disease-producing organisms that are used as tools to kill, injure, or incapacitate enemies. This biological weapon not only attacks humans, but also animals and plants (Suharyanto, 2018).

The history of the use of biological weapons began in 300 BC, when Ancient Iranians (scythians) used arrows dipped in feces (feces) and the corpses of living things that had decayed. The same thing was done by the Romans who dipped their swords in fertilizer and the rest of the animals that had rotted before fighting with their enemies. If the enemy is injured by the weapon, then there is an infection of the disease that can cause death. A significant event in ancient history of the use of biological weapons occurred when the Mongols drove the Genoese from the city of Caffa on the Dead Sea by utilizing human corpses infected with bubonic plague. When the Genoese moved out of Venice, they were followed by ticks and rats infected with bubonic plague, eventually causing "black death" in Europe (Biological Warfare at the 1346 Siege of Caffa - Volume 8, Number 9—September 2002 - Emerging Infectious Disease Journal - CDC, n.d.)

In 1754-1760, there was a war between the British and the Indians involving the use of the smallpox virus. At that time, Northern Britain gave clothes and blankets from hospitals treating smallpox sufferers to the Indians to exterminate the nation. During World War I, Germany used two pathogenic bacteria, *Burkholderia mallei*, the cause of Glanders and *Bacillus anthracis*, to infect allied cattle and horses in 1932-1935, Japan developed a biological weapons manufacturing program in China called Unit 731. As many as 3,000 Japanese scientists are working to conduct research on potentially weapons biological agents, such as cholera, bubonic plague, and sexually transmitted diseases. Experiments conducted using Chinese prisoners resulted in about 10,000 prisoners dying at that time. Since then, not only Japan has developed biological weapons, but also followed by other countries such as the United States and the Soviet Union. Some of the arrangements related to the prohibition of the use of biological weapons, among others:

- a. Declaration of Saint Petersburg, 29 November/11 December 1868 explained "That the employment of such arms would, therefore, be contrary to the laws of humanity" and it is hoped that this declaration can reduce the disasters perverted by war (Weight et al., 1868)
- b. The Brussels Declaration of 27 August 1874 describes in article 13, according to this principle it is especially 'prohibited':
 - 1) Use of poisons or poisonous weapons;
 - 2) Murder by treason of individuals who belong to the enemy state or army;
 - 3) The killing of an enemy who, having laid down his arms or having no means of any more defending, has succumbed to wisdom;
 - 4) A statement that no quarter will be given;
 - 5) The use of weapons, projectiles or materials that are calculated to cause unnecessary suffering, as well as the use of projectiles prohibited by the St. Petersburg Declaration of 1868;
 - 6) Improper misuse of armistice flags, national flags or military badges and enemy uniforms, as well as special badges of the Geneva Conventions;
 - 7) Any destruction or seizure of enemy property not imperatively demanded by the need for war ("Project of an International Declaration Concerning the Laws and Customs of War, Adopted by the Conference of Brussels, August 27, 1874," 1907).
- c. The First Hague Convention (1899) signed on 29 July 1899 consists of four main sections and three additional declarations. The main purpose of this convention is the prohibition related to the use of modern technology of certain types in war. Among them are aerial bombing, chemical warfare, and bullets with hollow point bullets, and establishing the establishment of a permanent arbitration court. (United Nations Publications, 2017)
- d. The Geneva Protocol signed on 17 June 1925 and entered into force on 8 February 1928 permanently prohibits the use of all forms of chemical warfare and biological warfare. The protocol has only one section entitled "Protocol Prohibiting the Use of Strangulation Gas, Toxic Gases, or Other Gases in War and on the Use of Ways of War with Bacteria". Today the protocol has been expanded with the biology convention Biological Weapon Convention 1972) and the Chemical Weapon Convention (1993) (International Committee of the Red Cross, 1949).

3.2 Wariness In The Face of Biological Weapons Threats and war crimes

In the face of biological weapons and war crimes better handle them with preventive efforts, one of them by using the theory of vigilance because it is considered to reduce risks and losses. The theory of vigilance or commonly called sustained attention theories refers to the systematic record of how an observer maintains their attention and always remains alert over a long period of time. (Linnan, 2008)

The formulation of vigilance is associated with the theory of biodefense according to Feinman and Reves (2013). There are key findings that must be considered in biodefense efforts, namely:

- a. Technological sophistication
- b. Public health laboratories are ready, willing and equipped to work with respondents and other institutions to detect and identify potential biological threats before they are disseminated to the public.
- c. no single instrument is perfect for detecting biological threats but using multiple sapat detection instruments is done to find protection.
- d. concept model management of its supply chain. although the time span of biological attack cannot be qualified, but the evidence on the ground shows an attack can disrupt a city so that an effective model is needed to manage the supply chain.
- e. as many as 3 keys to note for a biological weapon: readiness of responders and recivers, the role of the private sector, and effective leadership that has a perspective on biodefense (Imara et al., n.d.)

Based on the theory of vigilance and biodefense can be concluded how the state's vigilance in the face of biological threats and war crimes, namely:

1. Government vigilance by preparing all policies in an effort to protect the public from all kinds of threats both domestically and abroad. Including the policy of restrictions in and out of the country both local and foreign citizens.
2. Provide hospitals in facilitating public health ranging from prevention to recovery.
3. Prepare qualified technology that can detect early produced through research and support.
4. The importance of education and training to support community preparedness.
5. Coordination between good institutions / systems so as to realize the same policies and decisions so that they can be sustainable between regions / regions.
6. Arrangements on the prohibition of the use of biological weapons along with sanctions that can be applied to violating countries as an effort to guarantee the safety of people's lives. Agreement-got arrangements need to be made to override the principle of state sovereignty, especially for

countries that are indicated to deliberately use and even deploy biological weapons. It is necessary to obtain legal certainty and uphold the principle of justice.

7. Establishment of biological weapons supervisory agencies as an effort to monitor countries that have laboratoriums that are deliberately made for research.

IV. CONCLUSION

The rapid development of technology has both positive and negative impacts in the field of defense. With such rapid development, a country is required to update or upgrade its defense system in order to keep up with the world's development.

Biological weapons are one of the real threats that have been from World War I to the present day. So that the state must be ready to prepare itself to face it so as not to cause many casualties and losses. Thus, the state's vigilance in the face of weapons and war crimes is carried out prevention and early preparation. Among them are policy making as an effort to protect the community, the provision of adequate hospitals, the preparation of qualified technology in early detection, education and training of permanent prosedu to the community in dealing with the threat of biological weapons and war crimes, good coordination between central and local governments so as to produce good policies for all levels of society, regulations related to banning sanctions for countries that violate the law. as an effort to guarantee the safety of people's lives, as well as the establishment of biological weapons supervisory agencies as an effort to monitor countries that have a laboratory that is deliberately made for research.

The researcher hopes this paper can make a positive contribution, especially in the field of vigilance and national defense. As a suggestion for research can be continued by further researchers in more depth especially related to international policy addressing the use of biological weapons and war crimes.

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